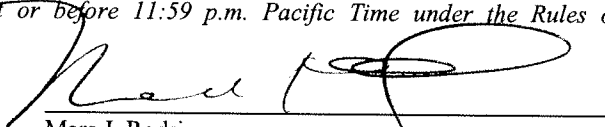

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on August 7, 2007 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


Mara I. Rodriguez

Application Number	: 10/660,452	Confirmation No. 4918
Filing Date	: September 11, 2003	
Inventor(s)	: Lutz Biedermann, et al.	
Title	: INVERTEBRAL DISK PROSTHESIS	
Group Art Unit	: 3738	
Examiner Name	: David H. Willse	
Docket No.	: 58779/B884	Date: August 7, 2007

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

- a. ☒ Pending (no review proceedings active)
 - (1) ☒ An Action was mailed by the Office on February 8, 2007, as to which no appeal under 37 CFR § 1.191 has been filed and
 - ☐ a response under 37 CFR § 1.116 was mailed on ☐ via Express Mail
 - ☐ with certificate of mailing under 37 CFR § 1.8
 - ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
 - ☐ an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated
 - (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on ☐
 - ☐ the Issue Fee has not been paid
 - ☐ the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on ☐
- b. ☐ Pending (with review proceeding active)

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Application No. 10/660,452

An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

2. SUBMISSION(S) REQUIRED (check at least one)

a. Previously submitted

- ☐ Consider the amendments/reply under 37 CFR § 1.116 previously filed on
☐ Consider the arguments in the Appeal or Reply Brief previously filed on
☐ Other:

b. Enclosed

- ☒ Amendment/Reply
☐ Affidavit(s)/Declaration(s)
☐ Information Disclosure Statement
☐ Documents under 37 CFR § 1.48
☒ Petition for Extension of Time
☐ Other:

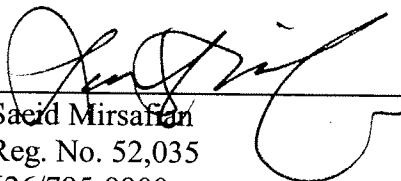
The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please direct all correspondence to **CUSTOMER NUMBER 23363**. Direct telephone calls to 626/795-9900, **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Saeid Mirsafari
Reg. No. 52,035
626/795-9900

SM/mr

**REQUEST FOR CONTINUED EXAMINATION (RCE)
FEE CALCULATION SHEET**

Application No. 10/660,452

PART I — BASIC FEE

BASIC FEE	Small Entity \$395.00	Large Entity \$790.00	\$790.00
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PART II — ADDITIONAL CLAIMS (compared to application before RCE)

	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	23	*27	0	x \$25.00	x \$50.00	
Independent Claims	3	**3	0	x \$100.00	x \$200.00	
First Presentation of Multiple Dependent Claim				\$180.00	\$360.00	
TOTAL CLAIMS FEE						
List Independent Claims: 1, 7, 21						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES (*The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.*)
 - a. Amount (total from Fee Calculation Sheet)
RCE fee of \$790.00 to be charged to Deposit Account No. 03-1728.
 - b. X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

TEMPIN IRV1108123.1-*08/7/07 12:55 PM